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EXAMINER	
LEBASSI, AMANUEL	
ART UNIT	PAPER NUMBER
2617	

NOTIFICATION DATE	DELIVERY MODE
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

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Office Action Summary	Application No.	Applicant(s)	
	10/590,602	MOSIG, RUEDIGER	
	Examiner	Art Unit	
	AMANUEL LEBASSI	2617	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *3* MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *13 July 2009*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *22-26,28-40 and 42* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *22-26,28-40 and 42* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *24 August 2006* is/are: a)☒ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☒ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

2. Claims 22-26 and 36-39 are rejected under 35 U.S.C. 103(a) as being unpatentable over Langer et al. US 6625168 in view of Lupper et al. US 20040017800.

Regarding claim 22, Langer discloses a method for data transfer between a first multimedia device and a second multimedia device, which first multimedia device and second multimedia device are connected via a connection that is operated according to a first standard or to a second standard, which first standard and second standard are different from and/or not compatible with each other (**abstract, controlling and monitoring first telecommunication terminal or second telecommunication terminal devices coupled to long-distance networks, at least one application-related conversion unit is provided together with at least one control information router)**. Langer discloses an application data receiving in which application commands, application parameters, and/or application data of the first standard are received by the first multimedia device from an application of the first multimedia device (col. 1, lines 55-63, where a**t least one control information router has a first reception unit for receiving** commands **forwarding data hence data is received- see** MPEP 2173.05(h)

Alternative Limitations). Langer discloses a connection layer processing in which the application commands, application parameters, and/or application data are processed to obtain respective connection commands, connection parameters, and/or connection data of the first standard (col. 2, lines 2-8 **a coupling unit to a central monitoring and connection signaling unit - see MPEP 2173.05(h) Alternative Limitations).** Langer discloses a choosing in which the first standard or the second standard is chosen as a chosen standard by the which first multimedia device (col. 2, lines 55-65 where a **standard is chosen by the device**). Langer discloses an adaptation layer processing in which, if the chosen standard is different from a currently applied standard, a standard conversion is performed, wherein the connection commands, connection parameters, and/or connection data are converted into respective processed connection commands, processed connection parameters, and/or processed connection data of the chosen wireless standard (col. 2, lines 33-40 **where protocol conversion is performed - see** MPEP 2173.05(h) Alternative Limitations). Langer discloses a link in which the processed connection commands processed connection parameters and/or processed connection data are linked via the connection according to the chosen standard (col. 3, lines 43-47 **where control commands or monitoring commands are dispatched- see** MPEP 2173.05(h) Alternative Limitations). Langer discloses on a sending in which the processed connection commands processed connection parameters and/or processed connection data are sent out via the connection according to the chosen standard (col. 2, lines 28-32 where **ser-specific authorizations for the execution of control** commands

and monitoring commands. However Langer is silent where the standards are wireless standards.

Lupper teaches where the standards are wireless standards **(paragraph [0010] and [0022] where the connection is done wirelessly).**

At the time of invention, it would have been obvious to a person of ordinary skill to modify the invention of Langer and add where the standards are wireless standards. The motivation would be to **implement the network access wirelessly via radio(paragraph [0006])**

Regarding claim 23, Langer discloses a method for wireless data transfer between a first multimedia device and a second multimedia device, which first multimedia device and second multimedia device are connected via a connection that is operated according to a first standard or to a second standard, which first standard and second standard are different from and/or not compatible with each other **(abstract, controlling and monitoring first telecommunication terminal or second telecommunication terminal devices coupled to long-distance networks, at least one application-related conversion unit is provided together with at least one control information router**). Langer discloses a transmission data receiving in which transmitted wireless data are received by the second multimedia device, which transmitted wireless data having been transmitted via the wireless connection according to a chosen wireless standard that is the first wireless standard or the second wireless standard paragraph (**col. 1, lines 55-63, where at least one control information router**

has a first reception unit for receiving commands **forwarding data hence data is received- see MPEP 2173.05(h) Alternative Limitations**). Langer discloses an adaptation layer processing in which , if the chosen wireless standard is different from a currently applied first wireless standard, a standard conversion is performed, wherein the transmitted wireless data are converted into respective connection commands, connection parameters, and/or connection data of the chosen wireless standard **(col. 2, lines 33-40 where protocol conversion is performed - see MPEP 2173.05(h) Alternative Limitations).** Langer discloses a connection layer processing in which the connection commands, connection parameters, and/or connection data of the application wireless standard are processed to obtain respective application commands, application parameters, and/or application data of the first wireless standard **(col. 2, lines 2-8 a coupling unit to a central monitoring and connection signaling unit - see MPEP 2173.05(h) Alternative Limitations).** Langer discloses on an application data processing in which the application commands, application parameters, and/or application data are provided to an application of the first multimedia device (**col. 2, lines 27-40 where control commands are executed**).

At the time of invention, it would have been obvious to a person of ordinary skill to modify the invention of Lupper and add an application data processing in which the application commands, application parameters, and/or application data are provided to an application of the first multimedia device. The motivation would be to display the image or data (col. 2, lines 62-67). However Langer is silent where the standards are wireless standards.

Lupper teaches where the standards are wireless standards **(paragraph [0010] and [0022] where the connection is done wirelessly).**

Regarding claim 24, Langer discloses a switching of the chosen standard from the first wireless standard to the second wireless standard is performed by:
opening a new and temporary additional wireless connection between the first multimedia device and the second multimedia device operating according to the second wireless standard, choosing the second wireless standard as the chosen wireless standard, and operating the new wireless connection as the wireless connection (col. 3, lines 54-67)

Regarding claim 25, Lupper discloses herein the method for wireless data transfer realizes a point-to-point connection between the first multimedia device and the second multimedia device (paragraph [0001], where connections between a subscriber station and an access network are usually controlled via a point-to-point protocol (PPP0)).

Regarding claim 26, Langer discloses wherein the adaptation layer processing is performed within an adaptation layer (**col. 2, lines 45-49 where adaptation process done in adaptation layer**).

Regarding claim 36, Lupper discloses wherein the first wireless standard and the second wireless standard are any of the following standards: IEEE 802.1 la, IEEE 802.1 lb, Bluetooth (BT), ZigBee, or IEEE 802.15.3; and the connection commands, connection

parameters, and/or connection data correspond to any of the following standards: UDP/TCP, Bluetooth (BT) (paragraph [0019]).

Regarding claim 37, Lupper discloses a wireless data transfer system which is capable of and/or has means for performing or realizing a method for wireless data transfer according to claim 22 (paragraph [0060]).

Regarding claim 38, Lupper discloses A computer program product comprising computer program means adapted to perform and/or to realize a method for wireless data transfer according to claim 22, when the method is executed on a computer or a digital signal processing means (paragraph [0060])..

Regarding claim 39, Lupper discloses a computer-readable storage medium comprising a computer program product according to claim 38 (paragraph [0009]).

3. Claims 28-35, 40 and 42 are rejected under 35 U.S.C. 103(a) as being unpatentable over Langer et al. US 6625168 in view of Lupper et al. US 20040017800 and in further view of Fujioka US 6907227.

Regarding claim 28 Langer modified by Lupper are silent wherein the chosen wireless standard is chosen depending on properties of the wireless connection, a distance

between the first multimedia device and the second multimedia device, arid/or depending on direct requests from the application.

Fujioka teaches wherein the chosen wireless standard is chosen depending on properties of the wireless connection, a distance between the first multimedia device and the second multimedia device, arid/or depending on direct requests from the application (col. 4 lines 40-48).

At the time of invention, it would have been obvious to a person of ordinary skill to modify the invention of Langer and Lupper and add wherein the chosen wireless standard is chosen depending on properties of the wireless connection, a distance between the first multimedia device and the second multimedia device, arid/or depending on direct requests from the application. The motivation would be because standards depend on distance (**col. 1, lines 21- 29**).

Regarding claim 29, Fujioka discloses wherein the chosen wireless standard is chosen depending on a battery condition of the first multimedia device and/or depending on a battery condition of the second multimedia device (**Fig. 3 and col. 5, line 23-36, depends on battery power**).

Regarding claim 30, Fujioka discloses wherein the properties of the wireless connection comprise signal strength, quality of service, and energy efficiency (**col. 7 lines 64-67 - QOS**).

Regarding claim 31, Fujioka discloses wherein the distance between the first multimedia device and the second multimedia device is determined based on positioning system data (**col. 10 lines 65-67 - distance**).

Regarding claim 32, Fujioka discloses wherein the choosing of the chosen wireless standard is performed by a management unit (**col. 6 lines 23-26**).

Regarding claim 33, Fujioka discloses wherein the first multimedia device is a video camcorder and the second multimedia device is a data processing means (**col. 4 lines 62-6**7).

Regarding claim 34, Fujioka discloses wherein the data processing means is a personal computer, a notebook, a video recorder, a television set, a personal digital assistant, a portable phone, a stereo headphone, and/or a mobile video viewer (**see abstract**).

Regarding claim 35, combination of above discloses wherein the management unit informs the application which chosen wireless standard is chosen and the application adjusts a bit rate of the application data depending on the chosen wireless standard (see above).

Regarding claim 40, Langer discloses a multimedia device connected with a further multimedia device via a connection that is operated according to a first standard or to a second standard, which first standard and second standard are different from and/or not compatible with each other (**abstract, controlling and monitoring first telecommunication terminal or second telecommunication terminal devices coupled to long-distance networks, at least one application-related conversion unit is provided together with at least one control information router)**. Langer discloses a connection layer configured to receive application commands, application parameters, and/or application data of the first wireless standard from an application layer, and further configured to process the application commands, application parameters, and/or application data, thus generating respective connection commands, connection parameters, and/or connection data of the first wireless standard (**col. 2, lines 2-8 a coupling unit to a central monitoring and connection signaling unit - see MPEP 2173.05(h) Alternative Limitations**). Langer discloses a choosing unit configured to choose the first standard or the second standard as a chosen standard (col. 2, lines 55-65 where a **standard is chosen by the device**). Langer discloses an adaptation layer configured to process the connection commands, connection parameters, and/or connection data thus generating processed connection commands, processed connection parameters, and/or processed connection data of the chosen wireless standard (**col. 2, lines 33-40 where protocol conversion is performed - see MPEP 2173.05(h) Alternative Limitations**). Langer discloses sending means for sending out the processed connection commands, processed connection parameters, and/or processed connection

data via the wireless connection according to the chosen wireless standard. col. 2, lines 28-32 where **ser-specific authorizations for the execution of control** commands **and monitoring** commands. However Langer is silent where the standards are wireless standards.

Lupper teaches where the standards are wireless standards **(paragraph [0010] and [0022] where the connection is done wirelessly).**

At the time of invention, it would have been obvious to a person of ordinary skill to modify the invention of Langer and add where the standards are wireless standards. The motivation would be to **implement the network access wirelessly via radio (paragraph [0006])**

Langer modified by Lupper is silent on a management unit configured to choose the chosen wireless standard depending on at least one of signal strength, quality of service of the wireless connection, a distance between the multimedia device and the further multimedia device, and/or depending on a direct request from the application. However, Fujioka teaches a management unit configured to choose the chosen wireless standard depending on at least one of signal strength, quality of service of the wireless connection, a distance between the multimedia device and the further multimedia device, and/or depending on a direct request from the application (col. 7 lines 64-67 - QOS and col. 10 lines 65-67 - distance).

At the time of invention, it would have been obvious to a person of ordinary skill to modify the invention of Langer and Lupper and add a management unit configured to choose the chosen wireless standard depending on at least one of signal strength, quality

of service of the wireless connection, a distance between the multimedia device and the further multimedia device, and/or depending on a direct request from the application. The motivation would be to utilize a better quality.

Regarding claim 42, Fujioka discloses Multimedia device according to claim 40, wherein the multimedia device is a video camcorder, personal computer, notebook, video recorder, television set, personal digital assistant, or a portable phone (col. 4 lines 62-67).

Conclusion

1. Any inquiry concerning this communication or earlier communications from the Examiner should be directed to Amanuel Lebassi, whose telephone number is (571) 270-5303. The Examiner can normally be reached on Monday-Thursday from 8:00am to 5:00pm.

If attempts to reach the Examiner by telephone are unsuccessful, the Examiner's supervisor, Nick Corsaro can be reached at (571) 272-7876. The fax phone number for the organization where this application or proceeding is assigned is (571) 273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR

system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free) or 703-305-3028.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist/customer service whose telephone number is (571) 272-2600.

Amanuel Lebassi
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10272009

/NICK CORSARO/

Supervisory Patent Examiner, Art Unit 2617